REMARKS

I.   Overview

Claims 1, 3-5, 8-13, 15, 16, 19 and 20 will be pending in this application upon entry of the present amendment. Claims 2, 6, 7, 14, 17, and 18 are canceled without prejudice. Claims 1, 8, and 15 are amended. Applicant believes that these amendments will place the application either in condition for allowance or in better form for appeal. *See* M.P.E.P. § 714.12. The only issue that remained in the Final Office Action of March 23, 2007 (*Office Action*) is as follows:

- Claims 1, 3-5, 8-13, 15, 16, and 18-20 rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,151,689 (*Garcia*).

In response, Applicant respectfully traverses the outstanding claim rejections and requests reconsideration and withdrawal in light of the amendments and remarks presented herein.

II.   Claim Amendments

Claim 1 has been amended to recite elements originally presented in claim 6, claim 8 has been amended to recite elements originally presented in claim 7, and claim 15 has been amended to recite elements originally presented in claims 6 and 7. No new matter has been added.

III. Claim Rejections Under 35 U.S.C. 102(e) over *Garcia*

Claims 1, 3-5, 8-13, 15, 16, and 18-20 stand rejected under 35 U.S.C. § 102(e) as being unpatentable over *Garcia*. *Office Action* at p. 3. Applicant traverses the rejection and asserts that these claims are allowable, at least, for the reasons stated below.

To anticipate a claim under 35 U.S.C. § 102, a single reference must teach each and every element of the claim. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987). In fact, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989).

Furthermore, for a reference to be anticipatory, "[its] elements must be arranged as required by

the claim." *In re Bond*, 910 F.2d 831 (Fed. Cir. 1990), *cited in* M.P.E.P. § 2131.

A.   Independent Claims 1, 8, and 15

Claim 1 recites:

> creating a single data packet, including user data that is to be
> written in a write operation to said target storage device and key
> data that is used to establish authorization to store said user data.

Claim 8 recites:

> means for simultaneously delivering user data and key data to a
> controller of said storage device, wherein said user data is to be
> written to said storage device and said key data is used to establish
> authorization to store said user data.

And claim 15 recites:

> code for composing a single data packet including user data and
> key data, wherein said user data is to be written to said target
> storage device and said key data is used to establish authorization
> to store said user data.

The Examiner has previously upon *Garcia*'s CRC bits as meeting the claimed key data. *E.g.*,

Office Action at p. 2. Applicant respectfully maintains that CRC bits are not key data insofar at

least as CRC bits are not "data employed *to establish authorization* to store the data in the

pertinent storage device." *Specification* at ¶ [0010] (emphasis added). Rather, *Garcia*'s CRC

bits merely provide for "[e]rror checking of the communication flow between the components of

the processing system . . . ." *Garcia* at col. 5, lns. 37-31.

Despite the foregoing, Applicant has further amended claims 1, 8, and 15 with the intent

to expedite issuance of the present application. For example, claim 1 now also requires that the

key data be generated based upon a destination address of the write operation. Applicant has

found no indication that *Garcia*'s CRC bits are generated based upon a destination address of the write operation, and the Examiner has not shown otherwise. Therefore, *Garcia*'s CRC bits do not meet the key data recited in claim 1. Claim 8 now also requires that the key data be generated based upon a system clock setting of said computer system. Applicant has found no indication that *Garcia*'s CRC bits are generated based upon a system clock setting of a computer system, and the Examiner has not shown otherwise. Therefore, *Garcia*'s CRC bits do not meet the key data recited in claim 8. In addition, claim 15 now also requires that the key data be generated based upon at least one of: a destination address of the write operation and a system clock setting of the computer system. Again, Applicant has found no indication that *Garcia*'s CRC bits are generated based on either feature, and the Examiner has not shown otherwise. Therefore, *Garcia*'s CRC bits do not meet the key data recited in claim 15.

Accordingly, Applicant respectfully submits that *Garcia* does not teach every element of claims 1, 8, and 15. Accordingly, Applicant respectfully requests that the Examiner withdraw the 35 U.S.C. § 102(e) rejection of record with respect to these claims.

B.   Dependent claims 3-5, 9-13, 16, 19, and 20

Dependent claims 3-5, 9-13, 16, 19, and 20 depend either directly or indirectly from claims 1, 8, and/or 15, each dependent claim thus inheriting all the limitations of its respective independent claim. As noted above, *Garcia* does not teach every element of independent claims 1, 8, and 15. Consequently, *Garcia* also fails to teach every element of dependent claims 3-5, 9-13, 16, 19, and 20. Accordingly, Applicant respectfully requests that the Examiner withdraw the 35 U.S.C. § 102(e) rejection of record with respect to claims 3-5, 9-13, 16, 19, and 20.

IV.   Conclusion

In view of the above remarks, Applicant believes the pending application is in immediate condition for allowance.

Applicant believes no fee is due with this Amendment; however, the fee of $790.00 for

the RCE is handled on the RCE Transmittal document. If fees are due, please charge Deposit

Account No. 08-2025, under Order No. 10002762-3 from which the undersigned is authorized to
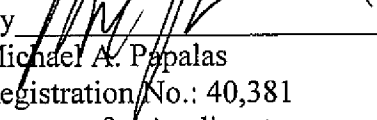
draw.

Dated: August 23, 2007   Respectfully submitted,

I hereby certify that this paper (along with any paper
referred to as being attached or enclosed) is e-filed on   By _____
the date shown below.   Michael A. Papalas
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